
Appeal Decision

Site visit made on 21 September 2021

by John Wilde CEng MICE

an Inspector appointed by the Secretary of State

Decision date: Tuesday 12 October 2021

Appeal Ref: APP/L5240/W/21/3269200

32 Fairview Road, Norbury, London SW16 5PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Amin (Stonework Buildings Ltd) against the decision of the Council of the London Borough of Croydon.
 - The application Ref 20/06148/FUL, dated 20 November 2020, was refused by notice dated 22 January 2021.
 - The development proposed is extension to existing block to form part fourth storey and two additional flats and conversion and extension of the existing commercial unit to form three additional flats.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The site visit was designated as being access required. However, at the time of my visit neither the appellant nor his agent were present. Notwithstanding this, I was able to see everything necessary from the public realm to allow me to write my decision letter.

Main Issues

3. The main issues are the effect of the proposed development on:-
 - a) The character and appearance of the area,
 - b) The living conditions of the occupiers of neighbouring property with respect to outlook,
 - c) The living conditions of future occupiers of the property with respect to space, and
 - d) Whether or not the proposed development would provide adequate refuse storage facilities.

Reasons

4. The appeal site lies within a predominately residential area bounded to the north by a railway line. Properties in Fairview Road are two storey terraced dwellings with a gable feature on the front elevation. There is a two storey medical centre to the north west of the site.

Character and appearance

5. The appeal property itself is of contemporary design and ranges from four to two storeys. It is already a notable feature within Fairview Road due to its design and massing in relation to other properties. It is however designed such that the massing is currently staggered with the two storey section nearest to the rear of the two storey houses that front Roche Road.
6. The proposed development would see a considerable increase in the bulk and massing of the property, with a three storey section being increased to four storeys and a two storey section being increased to three storeys. The proposal would bring the three storey section closer to the existing two storey properties.
7. To my mind this increase in the mass and bulk of the property would result in a monolithic structure, completely dominating the immediate area and at odds with, and unsympathetic to, the built form in the immediate area. This cannot be construed as contributing positively towards the public realm and consequently conflict would exist with policy SP4.1 of the Croydon Local Plan 2018 (CLP). Policy DM10 of the same plan requires that proposals should respect, amongst other things, the scale, height, and massing of the surrounding area. Given my findings above conflict would also exist with this policy.
8. In arriving at this conclusion I have taken into account the National Planning Policy Framework (the Framework) which at paragraph 120¹ promotes upwards extensions. However, this paragraph also makes clear that in such instances the development should be consistent with the prevailing height and form of neighbouring properties and the street scene. This would not be the case in this instance.

Living conditions of adjacent occupiers

9. The rears of the Roche Road properties face the existing development on the appeal site. The distance between the rear elevations of the Roche Road properties and the south east elevation of the appeal building is only about 15m. The proposed development would result in an extra storey being added to the appeal building at this point. I accept that the proposed development would not significantly affect the amount of sunlight and daylight received by the Roche Road properties. Nonetheless, I consider that given the increased height and short distances involved there would be a significant effect on the outlook from the rear elevations and particularly rear gardens of these properties. This would result in conflict with policy DM10 of the CLP. This requires, amongst other things, that the amenity of the occupiers of adjoining buildings is protected.

Living conditions of future occupiers

10. Policy SP2.8 of the CLP indicates that new homes in the borough should meet the minimum standards set out in the Technical housing standards – Nationally described space standard (2015) (THS). The Council consider that proposed flat 3 should be deemed to be a one bed two person flat rather than

¹ Paragraph 118 in the previous iteration

a studio. I note that on the drawing the sleeping area is shown as 'bedroom 1' and indicates a double bed. Furthermore, this area is discrete from the kitchen/living/dining area by virtue of being on the far side of the hall.

11. In light of this I can only agree with the Council that this unit should be considered to be a one bed two person dwelling. In such cases the THS requires a gross internal floor area of 50 sqm. The unit in question has only 43 sqm of gross internal floorspace and is therefore not compliant with the THS and consequently conflicts with policy SP2.8.

Refuse storage facilities

12. The proposed development would result in an increase of five dwellings. The submitted drawings show that all of the refuse bins for the existing and proposed dwellings would be kept in the existing store area which would not be increased in size. Drawing 201 shows the proposed situation with five bins taking up the entire area of the store with little if any room around the bins. This would mean that anyone wishing to deposit material in the furthest bin would have to move the other bins completely out of the store to gain access.
13. In a bid to overcome this the appellant has provided additional drawing BS02 which shows an additional external bin store located in the outdoor concourse area. However, this drawing still shows five bins crammed into the existing bin storage area. Whilst the provision of the outdoor bin store would undoubtedly help matters, without information relating to the number of bins required by the development and the frequency of collections, and taking into account the cramped nature of the existing bin store shown on drawing BS02, I am not in a position to conclude that the additional outdoor provision would result in a satisfactory result.
14. Policy DM13 of the CLP requires, amongst other things, that layouts ensure that refuse and recycling facilities are safe, conveniently located and easily accessible by occupants. This has not been demonstrated and therefore conflict would exist with this policy.

Conclusion

15. In light of my above findings and having regard to all other matters raised, including the benefits of new dwellings, I conclude that the appeal should be dismissed.

John Wilde

Inspector